

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MARTIN ANASTASIO, :
Plaintiff, :
: :
v. : CIV. ACTION No. 18-5074-GEKP
: :
ANDREW M. SAUL,¹ :
Commissioner of Social Security, :
Defendant. :
:

ORDER

AND NOW this 7th day of Jan., 2019, upon consideration of the parties' submissions, and after careful and independent review of the Report and Recommendation of United States Magistrate Judge Richard A. Lloret (Doc. No. 31), it is ORDERED that:

1. The Report and Recommendation is APPROVED and ADOPTED;
2. Plaintiff's Request for Review (Doc. No. 13) is GRANTED, and the matter is REMANDED in accordance with the fourth sentence of 42 U.S.C. § 405(g) to the Commissioner of Social Security for further proceedings consistent with the Report and Recommendation;
3. JUDGMENT IS ENTERED by separate document, filed contemporaneously.

See Shalala v. Schaefer, 509 U.S. 292, 303 (1993); *Kadelski v. Sullivan*, 30 F.3d 399, 402 (3d Cir. 1994); Fed. R. Civ. P. 58(a).

¹ Andrew M. Saul became the Commissioner of Social Security on June 4, 2019 and is therefore substituted for Nancy A. Berryhill as the defendant in this action. *See* Fed.R.Civ.P. 25(d)(1); 42 U.S.C. § 205(g) (Social Security disability actions "survive notwithstanding any change in the person occupying the office of Commissioner of Social Security or any vacancy in such office.").

4. The Clerk of Court shall mark this case CLOSED for all purposes including statistics.



Gene E. K. Pratter
GENE E. K. PRATTER
U.S. District Court Judge